

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA, )  
                                )  
Plaintiff,                 )                           4:11MJ3019  
                                )  
v.                            )  
                                )  
JOSE JAVIER HERNANDEZ- )                           ORDER  
CERRATO,                    )  
                                )  
Defendant.                 )

The court has been presented a Financial Affidavit (CJA Form 23) signed by the above-named defendant in support of a request for appointed counsel. After a review of the Financial Affidavit, I find that the above-named defendant is currently eligible for appointment of counsel pursuant to the Criminal Justice Act, 18 U.S.C. §3006A, and Amended Criminal Justice Act Plan for the District of Nebraska.

I also find the defendant may receive funds in the future which could be drawn on to pay or reimburse the public defender for legal services rendered. See also, Criminal Justice Act, 18 U.S.C. §3006A(f).

Accordingly,

**IT IS ORDERED:**

The Federal Public Defender for the District of Nebraska is appointed to represent the above named defendant in this matter. In the event that the Federal Public Defender accepts this appointment, the Federal Public Defender shall forthwith file an appearance in this matter. In the event the Federal Public Defender should decline this appointment for reason of conflict or on the basis of the Criminal Justice Act Plan, the Federal Public Defender shall forthwith provide the court with a draft appointment order (CJA Form 20) bearing the name and other identifying information of the CJA Panel attorney identified in accordance with the Criminal Justice Act Plan for this district.

**IT IS FURTHER ORDERED** that the Clerk shall provide a copy of this order to the Federal Public Defender for the District of Nebraska.

April 8, 2011

BY THE COURT:

s/ Cheryl R. Zwart

United States Magistrate Judge